FILED IN THE
U.S. DISTRICT
EASTERN DISTRICT OF WASHINGTON

Nov. 25, 1994

JAMES R. LARSEN, CLERK
___ DEPUTY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID SCHUDEL, et al., Plaintiff, vs. GENERAL ELECTRIC COMPANY and KAISER ALUMINUM AND CHEMICAL CORPORATION, Defendant.	AMENDED **JUDGMENT IN A CIVIL CASE** CS-92-081-FVS

This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the plaintiffs' motion to strike defense motions as untimely is **DENIED**. The defendants' motion to strike plaintiffs' memorandum is **DENIED**. The plaintiffs' motion to strike reply is **DENIED**. The defendants' motion for judgment as a matter of law is **DENIED IN PART and GRANTED IN PART.** The judgments entered herein are re-opened and modified as follows: a) The defendants are **GRANTED** judgment as a matter of law on all claims asserted by Dan Glass, David Schudel, Craig Thompson and Tim Schudel.

Those claims are **DISMISSED WITH PREJUDICE**. b) The defendants are **GRANTED** judgment as a matter of law on all non-respiratory claims asserted by Kathrene Froese. Those claims are **DISMISSED WITH PREJUDICE**. c) The defendants are **GRANTED** judgment as a matter of law on all non-neurological claims asserted by Merlin Carlson. Those claims are **DISMISSED WITH PREJUDICE**. d) The defendants are **GRANTED** judgment as a matter of law on all non-respiratory claims asserted by Ruth Hopkins and John Hopkins. Those claims are **DISMISSED WITH PREJUDICE**. The defendants are **GRANTED** a new trial on all remaining claims. The defendants' motion for new trial or alternative relief is **DENIED**. The plaintiffs' timely request for attorneys' fees and costs shall have the same effect under FRAP 4(a)(4) as a Rule 59 motion, and the period for filing a notice of appeal shall be extended accordingly. The plaintiffs' request for attorneys' fees and costs is **DENIED IN PART and GRANTED IN PART**. Ms. Deborah Williams is directed to submit a revised cost bill. Defendant Kaiser Aluminum and Chemical Corporation's motion to amend or correct judgments is **GRANTED**. The judgments entered herein shall refer to "Kaiser Aluminum and Chemical Corporation" **NOT** "Kaiser Aluminum Corporation." The plaintiffs' motion for order shortening time is **DENIED**. The plaintiffs' motions for order setting hearing on discovery abuses are **DENIED**. The defendants' motion for stay of proceedings to enforce judgments is **DENIED**.

Dated: November 25, 1994 JAMES R. LARSEN, Clerk

by: /s/ Annie Smith
Annie Smith,
Deputy